

1-10-01

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL NORWOOD,

Plaintiff,

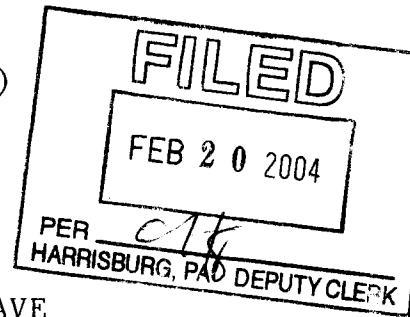
CIVIL NO. 1:CV-01-1005

v.

(Magistrate Judge Smyser)

DONALD ROMINE,

Defendant.



PLAINTIFF'S BRIEF IN SUPPORT OF MOTION FOR LEAVE
TO PROCEED IN PART, IN FORMA PAUPERIS

The plaintiff is appealing this Court's order of January 29, 2004, denying his motion for a new trial. The plaintiff has been provided with an estimate of the cost of transcribing the essential portions of trial proceedings by court reporter Vicki L. Fox. (See copy of Ms. Fox's letter, hereto attached). Ms. Fox has estimated the cost to be approximately \$303.60.

The plaintiff is currently financially unable to pay the costs of the court reporter's services, and hereby seeks an order from the Court which will permit the transcripts to be prepared at the government's expense, pursuant to 28 U.S.C. § 1915 et. seq. The plaintiff will pay the appeal docketing fee of \$105.00.

The transcripts are absolutely necessary for the preparation of the appeal. See United States v. Sacco, 430 F2d. 1304 (2d. Cir. 1970) (holding that district court did not abuse its discretion in ordering that transcripts be prepared at

government's expense).

For these reasons, the plaintiff respectfully requests leave to proceed in part, in forma pauperis.

Respectfully submitted,


MICHAEL NORWOOD, Pro Se
P.O. Box 1000
Lewisburg, PA 17837

February 13, 2004

Vicki L. Fox
Box 983, Federal Building
Harrisburg, PA 17108
February 11, 2004

Mr. Michael Norwood
Reg. No. 06970-014
PO Box 1000
Lewisburg, PA 17837

Dear Mr. Norwood,

I am the court reporter that stenographically recorded your trial 1:01-CV-1005 on October 28, 2003 in Harrisburg, PA. Due to a scheduling difficulty, Monica Zamiska was the court reporter on October 29, 2003, and Lori Fausnaught was the court reporter on October 30, 2003.

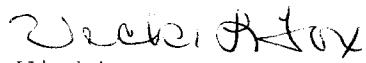
I have contacted the two other reporters, and we have an estimate for the portions of testimony you have requested. We will need a check made out to each one of us in order to have their portion transcribed. There will be an adjustment made after transcription as we cannot be absolutely sure of the number of pages until it is completed.

The testimony of Abdulfattah Jamiu, Donald Romine and a portion of your testimony that I took is estimated at 48 pages. The government rate is \$3.30 per page. If you would like it transcribed, please send a check or money order made out to Vicki Fox for \$158.40.

Monica Zamiska's portion of your testimony on 10/29/03 is estimated at 35 pages at \$3.30 for a total of \$115.50. A check for that amount must be made out to her and sent to Box 983, Federal Building, Harrisburg, PA 17108.

Lori Fausnaught estimates the jury notes to the Court will be nine pages. A check made out to her for \$29.70 will need to be sent to 240 West Third Street, Suite 446, Williamsport, PA 17701.

Sincerely,


Vicki L. Fox